

**MINUTES OF THE CITY OF LAS VEGAS REGULAR CITY COUNCIL MEETING HELD  
ON WEDNESDAY, FEBRUARY 19, 2020 AT 6:00 P.M. IN THE CITY OF LAS VEGAS  
COUNCIL CHAMBERS**

**MAYOR:** Vincent Howell

**COUNCILORS:** Barbara A. Casey  
David G. Romero  
Michael L. Montoya  
David A. Ulibarri Jr.

**ALSO PRESENT:** Ann Marie Gallegos, Interim City Manager  
Casandra Fresquez, City Clerk  
Esther Garduno Montoya, City Attorney  
David T. Bibb III, Sergeant at Arms

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

Councilor Romero asked to remember those we had recently lost in the past month and asked God to guide them in decisions made for the best interest of the community.

**APPROVAL OF AGENDA**

Interim City Manager Ann Marie Gallegos advised that on Business Item #2, regarding Resolution 20-06 and that it was not on the agenda request although it was included in their packets.

Councilor Casey made a motion to approve the agenda. Councilor Ulibarri, Jr. seconded the motion. Mayor Howell asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri, Jr.	Yes	David G. Romero	Yes
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Barbara A. Casey                      Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

**APPROVAL OF MINUTES**

Councilor Casey made a motion to approve the minutes for February 5, 2020 with minor corrections. Councilor Romero seconded the motion. Mayor Howell asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Barbara A. Casey	Yes
David A. Ulibarri, Jr.	Yes		

City Clerk Fresquez re-read the motion and advised that the motion carried.

**MAYOR'S APPOINTMENTS/REPORTS**

Approval to appoint Mr. Michael Montoya, Councilor, Ward II as per City of Las Vegas Municipal Charter.

Mayor Howell advised he had known Mr. Michael Montoya for many years, that he had been a very active member of the community and that it was his pleasure to appoint Michael Montoya to Ward II seat as Councilor.

Councilor Romero made a motion to approve the appointment of Michael L. Montoya to Councilor, Ward II. Councilor Casey seconded the motion. Mayor Howell asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri, Jr.	Yes	David G. Romero	Yes
Barbara A. Casey	Yes		

City Clerk Fresquez re-read the motion and advised that the motion carried.

Michael L. Montoya was sworn in as Councilor, Ward II of the City of Las Vegas, San Miguel County of the State of New Mexico.

Councilor Montoya thanked the governing body for the appointment to Ward II seat until the election and for their hard work in bringing the City where it was, for the support they gave the City of Las Vegas and the community at the current



Legislature, commended City staff for standing ground and doing their jobs during this tribulation. Councilor Montoya also thanked the citizens of Las Vegas for holding on and having faith in this governing body and prayed that he could do a great job for the citizens and thanked his family for their support.

### **PUBLIC INPUT**

Marshall Poole gave an AWC report for the month of January 2020 and spoke in detail about issues regarding the issues of animal control in the City and the difference between Animal Control and the Animal Welfare Coalition services.

Lalo Sanchez spoke about issues in regard to not being able to contact Chief of Police Bibb, issues of unnumbered police cars and about City employees being overloaded with doing their jobs and jobs that have not been filled. Mr. Sanchez suggested changing Public Input time from 3 to 5 minutes and mentioned he was still having problems with the Utilities Department billing, regarding a water leak. He stated that he hoped that the City would progress with this new administration.

### **PRESENTATIONS**

New Mexico Highlands University Faculty Member, Dr. Eric Romero gave a detailed presentation regarding the visitation from Dolores Huerta. He informed she was scheduled to be the commencement exercise speaker for the May 9th, Highlands University Graduation and would also be awarded an Honorary Doctorate from Highlands University for her work and spoke of her many years of different forms of humanitarian advocacy, community activism and political reform, she was duly recognized as the co-founder, along with Cesar Chavez of the United Farmworkers in 1962. He requested from the Governing Body to consider a recognition to take place the second week in May honoring Mrs. Huerta, showing their appreciation for her service to this community, the state and the country.

Councilor Casey stated that she could not think of any woman in New Mexico that deserved more recognition and honor than Dolores Huerta and thought it would be a wonderful tribute if the City would give her the recognition and honor she deserved.

Councilor Montoya stated this was a very important presentation, that Mrs. Huerta had moved many people out of poverty and she had presented around the

country. He recommended inviting Mrs. Huerta to the Regular City Council meeting in May (if in conjunction with her being in town), presenting her with a resolution and the key to the City.

Mayor Howell gave Interim City Manager Gallegos the directive to follow through with the preparation of the recognition for Mrs. Huerta. He asked for clarification of the dates she would be available.

Discussion took place regarding the specific dates of her participation and the celebration of her 80th Birthday and how Las Vegas was one of her favorite communities.

A Las Vegas Community member gave a brief presentation regarding a proposal to make a Commemorative Bench to honor the life of William "Skip" Smith, who was a community icon, who made Las Vegas his home and inspired and motivated kindness, compassion and empathy in our community.

Mayor Howell thought it was a great gesture and agreed to give Interim City Manager Gallegos the directive to move forward for Design Review Board for the commemorative bench at the next scheduled meeting to review and approve of the design and move with the installation.

Councilor Montoya took the opportunity to remind of the recent passing of former Chief of Police, Albert Mares who served the community and expressed condolences to his family.

Utilities Director Maria Gilvarry gave a presentation regarding the award received by the City of Las Vegas Water Treatment Plant from the New Mexico Water and WasteWater Association for the most improved facility in 2019. She presented Jesus Hathaway with the award on behalf of the Water Treatment staff and added that he and the staff were an asset to the City and thanked them for their tremendous job done.

Grant Writer/Administrator Robert Archuleta along with Architectural Research Consultants Representative, Liza Miller presented a detailed update on the progress of the Comprehensive Master Plan. Mr. Archuleta recognized the Steering Staff working on the plan, thanked them and City Staff for their contributions.



Discussion and questions took place regarding the participation/public input at the time of 2011 when the plan had last been adopted and of WLV school faculty/students participation in the project.

Councilor Casey thanked everyone involved in working so diligently on the Comprehensive Master Plan, she commended the effort to reach many people in the community and stated that the public was thankful for receiving surveys in their utility bills which made it easier for them.

Councilor Montoya thanked the committee for their work on the Comprehensive Master plan, that it had to be approved by DFA and by New Mexico Economic Development and that it began with the community input, bringing it to Council. He stated that was how funding was obtained.

Councilor Ulibarri, Jr. thanked everyone involved in the Comprehensive plan, that it looked very promising for the citizens of Las Vegas.

Mayor Howelll stated he had the opportunity to meet with the committee to give his input, he was glad to see this moving forward and thanked everyone for their hard work to see this through. He asked what the top three issues were brought up by the community.

Discussion took place of the current concerns brought up by the community which included streets, parks and economic development and survey participation.

### **CITY MANAGER'S REPORT**

Interim City Manager Gallegos gave an update on current projects taking place which included:

- Las Vegas Day Festivities
- Lodgers Tax Advisory - Tour Guide
- Easter Egg Hunt- 4.11.20 @ Lincoln Park
- P & Z Meeting-2.24.2020 (Discussion - Clearing of RHS area between 4th Street/Maintenance Dept.)

### **FINANCE REPORT**

Deputy Finance Director Dominic Chavez presented the Finance Report for the month ending January 31, 2020 (58% of Year Lapsed-7 of 12 months), reporting

the General Fund revenue at 64% (\$7,311,721) and expenditures as 50% (\$6,446,387). He reported the Enterprise Funds revenue at 52% (\$8,779,625) and expenditures came in at 45% (\$9,304,397) and informed that the revenue for the Recreation Department was at 53% (\$333,783) with expenditures at 52% (\$373,585).

Deputy Finance Director Chavez also presented the Lodgers Tax Promotion-Revenue Comparison for January 31, 2020, reporting revenue at 76% (\$284,922) and expenditures coming in at 41% (228,632).

Mayor Howell commended Mr. Chavez' presentation at the Lodger Tax Meeting.

Brief discussion and questions took place regarding the Check Listing and the line item for the Housing Department.

Councilor Romero stated that there was a statement made at a forum by a candidate regarding \$125,00.00 being raised by the Library and asked where it went.

Library Manager Zach McNellis stated that to his knowledge, there was no money raised for the Library in any amount, the only things raised were for Story Time held back in August, which were not monetary donations, only being beverages and time donated.

Discussion and questions took place regarding the savings amount in each department due to unfilled vacancies.

### **CONSENT AGENDA**

City Clerk Fresquez read the Consent Agenda into the record as follows:

1. Approval of Resolution #20-04 donating two (2) 2003 Chevrolet Impala belonging to the City Las Vegas to Santa Fe Community College and directing the City of Las Vegas Police Department to transfer said property to Santa Fe Community College.

Resolution 20-04 was presented as follows:

CITY OF LAS VEGAS



RESOLUTION NUMBER 20-04

A RESOLUTION DONATING TWO (2) 2003 CHEVROLET IMPALA BELONGING TO THE CITY LAS VEGAS TO SANTA FE COMMUNITY COLLEGE AND DIRECTING THE CITY OF LAS VEGAS POLICE DEPARTMENT TO TRANSFER SAID PROPERTY TO SANTA FE COMMUNITY COLLEGE.

WHEREAS, the City of Las Vegas wishes to transfer said vehicles to Santa Fe Community College, and are described as follows:

**2003 Chevrolet Impala VIN# 2G1WF55K739333394 – mileage 107,815**

**2003 Chevrolet Impala VIN# 2G1WF55K239334775 – mileage 111,372**

WHEREAS, the following described item is property, which is excess and not needed for any essential government function, it is no longer being used by the City of Las Vegas Police Department.

WHEREAS, when this property is transferred to another agency, it shall be understood that the property listed above may or may not meet current standards. The City of Las Vegas shall not be responsible for any cost associated with bringing said equipment up to standards, and the City of Las Vegas shall be released from any liability associated with this equipment.

WHEREAS, the receiving agency accepts this equipment on an "AS IS" basis, and accepts any and all costs associated with bringing said equipment up to standards prior to placing equipment in to service.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LAS VEGAS, NEW MEXICO, that the above described item belonging to the City of Las Vegas Police Department is hereby declared excess property and not needed for any City purpose of function and that said property should be transferred.

PASSED, APPROVED AND ADOPTED this \_\_\_\_day of \_\_\_\_\_, 2020.

CITY OF LAS VEGAS:

Vincent Howell, Mayor

ATTEST:

Cassandra Fresquez, City Clerk

Approved as to Legal Sufficiency Only

Esther Garduno Montoya, City Attorney

2. Approval of Resolution #20-03 assuring the availability of matching funds for the participation in the New Mexico Department of Transportation Municipal Cooperative Agreement (COOP), in the amount of \$75,00.00, which is 25% of total estimated project, cost of \$300,000.00 for this phase of the project.

Resolution 20-03 was presented as follows:

CITY OF LAS VEGAS, NM

**RESOLUTION NO. 20-03**

A Resolution assuring available matching funds Supporting the New Mexico Department of Transportation Municipal Cooperative Agreement (COOP) for the Plan Design, Construction Management, Construction, Reconstruction, Pavement Rehabilitation, Drainage Improvements and Miscellaneous Construction for West National Avenue from Keen Street to South Pacific Avenue for this phase of this project.

**Whereas**, the City of Las Vegas Governing Body has declared improvements are needed to West National Avenue a necessity for the good and well being of citizens of Las Vegas, New Mexico, and to support this Cooperative Agreement for funding to accomplish the work; and

**Whereas**, the City of Las Vegas will work in accordance with the funding requirements of the Municipal Cooperative Agreement program, and will budget \$75,000.00 which is 25% of total cost of project of \$300,000.00.

**NOW, THEREFORE, BE IT RESOLVED**, by the local governing body of the City of Las Vegas that the Cooperative Agreement for the above funding be submitted to the New Mexico Department of Transportation.

**PASS, APPROVED, AND ADOPTED** this \_\_\_\_\_ day of February, 2020

CITY OF LAS VEGAS

\_\_\_\_\_  
Vincent Howell  
MAYOR

ATTEST:

\_\_\_\_\_  
Casandra Fresquez, CITY CLERK

3. Approval to purchase one front load commercial collection truck for the Solid Waste division.

4. Approval to purchase one side load residential collection truck for the Solid Waste division.

5. Approval to purchase one multi terrain loader (skid steer) for the Water Distribution division.

Councilor Casey made a motion to approve the Consent Agenda as read into the record. Councilor Romero and Councilor Ulibarri, Jr. seconded the motion. Mayor Howell asked for roll call. Roll Call Vote was taken and reflected the following:



David G. Romero	Yes	Michael L. Montoya	Yes
Barbara A. Casey	Yes	David A. Ulibarri, Jr.	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

### **BUSINESS ITEMS**

1. Approval/Disapproval to repeal City of Las Vegas Governing Body Rules of Procedure, Resolution 02-17 Adopted 7/17/2002 and amended 7/20/2005, in its entirety.

Councilor Barbara Casey advised that the City of Las Vegas Governing Body Rules of Procedure contains language that is in conflict with the Municipal Charter which was adopted after the Governing Body Rules of Procedure. Further, the Governing Rules of Procedure contains superfluous language that is already included in the City Charter and the Municipal Code, Section 14-7, as well as Robert's Rules of Order.

Councilor Casey made a motion of approval to repeal the City of Las Vegas Governing Body Rules of Procedure and the approval of Resolution 02-17. Councilor Romero seconded the motion.

Resolution 20-11 was presented as follows:

#### **CITY OF LAS VEGAS RESOLUTION NO. 20-11**

A resolution supporting the repeal of Resolution 02-17, City of Las Vegas Governing Body Rules of Procedure.

**WHEREAS**, Resolution 02-17 was adopted in 2002 and amended in 2005, 8 years and 5 years, respectively, before the adoption of the Municipal Charter for the City of Las Vegas in 2010; and,

**WHEREAS**, Resolution 02-17 does not align with and conflicts with the provisions of the Municipal Charter; and,

**WHEREAS**, Resolution 02-17 contains language that already exists in the Municipal Code, Article 14-7, Procedures for Regular and Special Meetings, Sections A-H; and,

**WHEREAS**, the superfluous and unnecessary language in Resolution 02-17 has created constant, unnecessary discord among the members of the Governing Body; and,

**WHEREAS**, the Auditor of the State of New Mexico, has questioned the existence of Resolution 02-17 and has requested that the Governing Body of the City of Las Vegas take action to rectify the issues caused by Resolution 02-17.

**NOW, THEREFORE**, it is hereby resolved by the Governing Body of the City of Las Vegas that Resolution 02-17, known as the Governing Body Rules of Procedure, is repealed in its entirety.

**PASSED, APPROVED, AND ADOPTED THIS \_\_\_\_\_ DAY OF FEBRUARY, 2020.**

City of Las Vegas

\_\_\_\_\_  
**MAYOR**

**ATTEST:**

\_\_\_\_\_  
Casandra Fresquez, City Clerk

Councilor Montoya asked City Attorney Garduno Montoya if she had reviewed the Resolution.

City Attorney Garduno Montoya advised that she had reviewed the Resolution.

Councilor Montoya asked for clarification on the Resolution 02-17 regarding paragraph 2, *"Adopted in 2002 and amended in 2008 8 years and 5 years"*. He added that he did not see the amendments for 2005 included in the document.

Councilor Casey explained that it was adopted in 2002 which was eight years before the Municipal Charter was adopted in 2010 and then it was amended in 2005 which was 5 years before the Municipal Charter was put into place in 2010.

Councilor Montoya spoke in detail regarding several sections of Resolution 02-17 that conflicted with the Municipal Charter. He advised that he could agree in amending the Governing Body Rules of Procedure but not repealing the whole document. He stated the processes in the Governing Body Rules & Procedures went hand in hand with the City Charter.

Councilor Romero stated that he agreed with Councilor Montoya regarding some items in the Resolution that were not relevant or contradicted the Charter. He added that the new administration could develop new Governing Rules of



Procedure although at this time the intent was to do away with the current one in the case of the new Mayor wanting to use it, allowing the opportunity to deny placing items on the agenda. He advised that their intent had been to have the Governing Body Rules of Procedure and the City Charter to align and felt they had given good direction to this and previous Legal Office, although it was never done.

Councilor Montoya stated that he felt that it did not make any sense to repeal now due to the new administration starting in a month.

Councilor Casey advised that the reasoning of repealing was due to the previous Mayor ignoring and refusing to follow the Charter and some portions of ordinances and only using parts of the Governing Body Rules of Procedure to suit her purposes. She stated that in four years placing agenda items by Council were never honored and that was an abuse of power.

Councilor Casey stated there were other state laws that were stronger than the Charter which included the Municipal Code that ruled over the Charter and mentioned that part of the charges the previous Mayor was being indicted was for abuse of power and abuse of the Governmental Conduct Act. She advised that the recommendation letter from the State Auditor was to eliminate the document in its entirety because it conflicted with state law, governmental rules of conduct and created a problem. She added that this would stop anyone else coming into office that did not follow rules, was unscrupulous, was willing to break the law for their own purpose and repealing it would end that and would eliminate the treatment of disrespect of the Councilors.

Councilor Montoya expressed that the City Charter gave the members of the City Council power, was approved by the AG's Office and Municipal League and that it gave Mayor and Council more authority in giving direction.

Councilor Romero stated for clarification, the City Charter would still be in effect and that it was the Governing Body Rules of Procedure that would be repealed.

Mayor Howell asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri, Jr.	No	Barbara A. Casey	Yes
David G. Romero	Yes	Michael L. Montoya	No

City Clerk Fresquez re-read the motion and advised that there was a tie.

Brief discussion took place regarding comments taking place prior to voting.

City Attorney Garduno Montoya advised that once there was a call for the vote, there is no more discussion.

Mayor Howell voted Yes and the tie was broken.

## 2. Approval of 2019 Audit and Resolution 20-06.

Deputy Finance Director Dominic Chavez advised that the Office of the State Auditor had released the 2019 Audit for review and final approval by Mayor and Council.

Axiom Representative Jaime Rumbaoa advised that the City of Las Vegas 2019 Audit was available on the New Mexico State Auditor's website. Mr. Rumbaoa gave a lengthy detailed presentation of the 2019 Audit.

Councilor Romero advised that he had brought the request made last year with last year's report, a request for a disclosure statement and advised that it was not part of the audit.

Mr. Rumbaoa stated that they had talked to the Mayor regarding the disclosure statement.

Councilor Romero asked for clarification for the record, that it was not Mayor Howell.

Mr. Rumbaoa stated that they had talked to the former Mayor for her input back then in regard to the disclosure statement.

Councilor Romero stated that he had requested an Entrance Interview with the Council and asked if disclosure statements were provided to employees due to employees might be related to contractor or vendor which was a conflict.

Mr. Rumbaoa advised that they did not normally perform that procedure, although that it could be considered.



Discussion and questions took place regarding the importance of having a disclosure statement to deter from conflict or fraud and briefly discussed liabilities regarding HUD in the amount of \$600,000.00.

Councilor Casey stated that the State Auditor asked that certain things should be looked into and asked Mr. Rumbaoa what those things were and why Internal Controls were not looked into.

Mr. Rumbaoa informed that things they looked into included procurement, allowable money not being spent according to ordinance, billing complaint and legal expenses for former Mayor. He advised that Internal Controls were not a requirement of the audit.

Lengthy discussion and questions from Councilor Monotya took place in acquiring independent contractors for internal audits. Also discussed was long term contract debts, current statistical population of City of Las Vegas, the importance of the 2020 Census and disaster recovery plans.

Councilor Ulibarri, Jr. asked if direction could be given to Interim City Manager Gallegos to work on the findings of the audit.

Interim City Manager Gallegos advised that the development of policies and procedures, the fire suppression system for I.T. had been updated with four new servers installed and would bring back a draft of policies and procedures for approval.

Mayor Howell suggested discussion regarding the auditors recommendations and other matters at a Work Session that should include I.T. personnel and asked for clarification of how the City rated on the audit.

Mr. Rumbaoa advised that the City received a non-modified audit and commended City Staff.

Discussion took place regarding the process of reviewing procurement files during the audit and the question of how the City's procurement policies rated.

Mr. Rumbaoa stated that he felt that the City's procurement policies were more extreme than state law and that it was most important to follow procurement policy.

Councilor Casey made a motion to approve the 2019 Audit and Resolution 20-06. Councilor Montoya seconded the motion.

Resolution 20-06 was presented as follows:

**ACCEPTANCE AND APPROVAL OF THE FY2019 AUDIT  
RESOLUTION 20-06**

**WHEREAS, the City of Las Vegas is required by statute to contract with an independent auditor to perform the required annual audit or agreed upon procedures for Fiscal Year 2019: and, WHEREAS, the City of Las Vegas Governing Body has directed the accomplishment of the audit for FY2019 be completed; and,**

**WHEREAS, this audit has been completed and presented to the City of Las Vegas Governing Body per the February 6, 2020 Letter from the State Auditor authorizing release of the FY2019 audit;**

**WHEREAS, NMAC 2.2.2.10 (M) (4) provides in pertinent part that "Once the audit report is officially released to the agency by the state auditor (by a release letter) and the required waiting period of five calendar days has passed, unless waived by the agency in writing, the audit report shall be presented by the IPA, to a quorum of the governing authority of the agency at meeting held in accordance with the Open Meetings Act, if applicable,"; and,**

**NOW THEREFORE, BE IT RESOLVED, that the City of Las Vegas Governing Body does hereby accept and approve the completed audit report and findings as indicated within this document;**

**ACCEPTED AND APPROVED the 19 th day of February 2020 in regular session by the City of Las Vegas Governing Body, at Las Vegas, San Miguel County, New Mexico.**

\_\_\_\_\_  
Vincent Howell, Mayor

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David Ulibarri, Councilor

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Michael L. Montoya, Councilor

\_\_\_\_\_  
Barbara Perea-Casey, Councilor

\_\_\_\_\_  
David G. Romero, Councilor

**ATTEST BY:**

\_\_\_\_\_  
Casandra Fresquez, City Clerk

Mayor Howell asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	David A. Ulibarri, Jr.	Yes
Barbara A. Casey	Yes	Michael L. Montoya	Yes



City Clerk Fresquez re-read the motion and advised that the motion carried.

3. Approval/Disapproval of Resolution 20-07 assuring the available matching funds, amount being \$300,000.00, with City match of \$75,000.00, which is 25% of total cost of this phase of this project.

Interim Public Works Director Danny Gurule advised that as part of the Municipal Arterial Program Agreement submittal criteria for New Mexico Department of Transportation, a resolution of support is required from our Local Governing Body assuring matching funds accompany agreement. In complying with criteria, staff is requesting that this resolution be approved for the Plan, Design, construction, Construction Management, Reconstruction, Pavement Rehabilitation, Drainage and Misc. Improvements to Mountain View Drive, for this phase of the project. Budgetary provisions will be made in the Public works Department during the 2020/2021 fiscal cycle.

Councilor Casey made a motion to approve Resolution 20-07 assuring the available matching funds, amount being \$300,000.00 with City match of \$75,000.00, which is 25% of total cost of this phase of this project. Councilor Romero seconded the motion.

Resolution 20-07 was presented as follows:

**CITY OF LAS VEGAS, NM  
RESOLUTION NO. 20-07**

A Resolution Supporting the New Mexico Department of Transportation Municipal Arterial Program(MAP) for the Plan Design, Construction Management, Construction, Reconstruction, Pavement Rehabilitation, Drainage Improvements and Miscellaneous Construction for Mountain View Drive for this phase of this project.

**Whereas**, the City of Las Vegas Governing Body has declared improvements are needed to Mountain View Drive a necessity for the good and well being of citizens of Las Vegas, New Mexico and to support this Agreement for funding to accomplish the work; and

**Whereas**, the City of Las Vegas will work in accordance with the funding requirements of the Municipal Arterial program, and will budget \$75,000.00 which is 25% of total cost of project of \$300,000.00.

**NOW, THEREFORE, BE IT RESOLVED**, by the local governing body of the City of Las Vegas that the Agreement for the above funding be submitted to the New Mexico Department of Transportation.

**PASS, APPROVED, AND ADOPTED** this \_\_\_\_\_ day of February, 2020.

**ATTEST:**

**CITY OF LAS VEGAS**

\_\_\_\_\_  
Casandra Fresquez

City Clerk

\_\_\_\_\_  
Vincent Howell

Mayor

Mayor Howell asked for roll call. Roll Call Vote was taken and reflected the following:

Michael L. Montoya	Yes	David G. Romero	Yes
David A. Ulibarri, Jr.	Yes	Barbara A. Casey	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

4. Approval/Disapproval of Resolution 20-08 assuring the availability of funds for Legion Drive road improvements administered by the New Mexico Department of Transportation (NMDOT), in the amount of \$2,780,345, State share being 95% or \$2,641,327.75, City of Las Vegas share being 5% or \$139,017.25.

Interim Public Works Director Gurule advised that as per NMDOT submittal criteria, it is required that a resolution of support from our Local Governing Body accompany grant application. In complying with this criteria, staff is requesting that the resolution be approved for the Plan, Design, Construction, Construction Management, REconstruction, Pavement Rehabilitation, Drainage Improvement and Miscellaneous Construction to Legion Drive from Grand Avenue to 7th Street.

Councilor Montoya took the opportunity to thank the staff for recognizing crucial projects and acknowledged a local resident of Las Vegas, Walter Adams as being appointed Chairman of the NMDOT Commission, which would help Las Vegas as they were more than willing to assist the City.

Councilor Romero asked if there was a weight limit on Mountain View and Legion.



Mr. Gurule advised that there was a weight limit although there was no indicating signage.

Lengthy discussion took place regarding weight limit signage, enforcing the limit by Police Department, LED lighting funding and sending out public announcements prior to construction.

Mayor Howell thanked Mr. Gurule for accompanying him at the recent Legislature and for him being very articulate with Legislators in regard to the City's needs.

Councilor Montoya made a motion to approve Resolution 20-08 assuring the availability of funds for Legion Drive road improvements administered by the New Mexico Department of Transportation (NMDOT), in the amount of \$2,780,345, State share being 95% or \$2,641,327.25. Councilor Ulibarri, Jr. seconded the motion.

Resolution 20-08 was presented as follows:

**CITY OF LAS VEGAS  
RESOLUTION 20-08**

A Resolution Supporting the eligibility of funds to submit an application to the New Mexico Department of Transportation (NMDOT) for fiscal year 2020 Local Government Transportation Project Fund, or the Call for Projects Grant.

**WHEREAS;** the City of Las Vegas Governing Body has declared improvements are needed to Legion Drive a necessity for the good and well being of citizens of Las Vegas, New Mexico and to support this agreement for funding to accomplish the work; and

**WHEREAS;** the total project cost being Two Million Seven Hundred Eighty Thousand Three Hundred Forty Five, (\$2,780,345.00) to be administered by the NMDOT; and

**WHEREAS;** the NMDOT share amount being 95% or \$2,641,327.75 and the City of Las Vegas proportional matching share being 5% or \$139,017.25; and

**WHEREAS;** the City of Las Vegas shall pay all costs that exceeds the total amount of \$2,780,345.00.

**NOW THEREFORE, BE IT RESOLVED,** by the City of Las Vegas Local Governing Body that an agreement assuring the availability of matching funding be submitted to NMDOT , for the Plan, Design, Construction, Construction Management, Reconstruction, Pavement Rehabilitation, Drainage Improvements, and Miscellaneous Construction be done to Legion Drive from Grand Avenue to 7<sup>th</sup> Street.

PASSED, APPROVED, AND ADOPTED THIS \_\_\_\_ DAY OF FEBRUARY 2020.

**ATTEST:**

**CITY OF LAS VEGAS**

\_\_\_\_\_  
Casandra Fresquez  
City Clerk

\_\_\_\_\_  
Vincent Howell  
Mayor

Mayor Howell seconded the motion. Roll Call Vote was taken and reflected the following:

Barbara A. Casey	Yes	Michael L. Montoya	Yes
David G. Romero	Yes	David A. Ulibarri, Jr.	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

**COUNCILORS' REPORTS**

Councilor Ulibarri, Jr. spoke of issues regarding potholes and the material and the time used and suggested looking into a better way of the repair.

Streets Superintendent Chris Rodarte advised that they were using millings to temporarily fill the potholes until the weather improved and stated he would welcome any other suggestions in dealing with the issue.

Councilor Montoya informed that a solution would be to collaborate with NMDOT as they had the material to use with millings and added that he had personally experienced a problem regarding damages from a pothole and concurred that it was of great concern. He asked for this to please be addressed.

Mayor Howell recommended for Mr. Rodarte, Councilor Montoya and Interim City Manager Gallegos to meet, discuss and plan to work with NMDOT to address the issue of potholes. He advised that Mr. Rodarte and staff were doing their best with what they had to work with and also there were many people who the City could work with.

Councilor Casey stated that she wanted to recognize and thank Department Heads and City staff for their hard work and that everyone should support them and defend them from attacks from those who did not understand the workings of the City. She advised that the person who took the initiative to repair potholes in the



City had violated the City Ordinance although he may have had good intentions, it was detrimental to the City putting them in legal liability, having to go back and repair damage he had caused. Councilor Casey thanked the Street Department for the installation of the three Stop signs near the schools as requested and also employees who took on extra duties due to the vacancies and stated that the focus needed to be on filling vacancies with people who were qualified.

Councilor Romero thanked the Streets Department for working on the One-Way signs installed and graffiti and they appreciated their hard work and asked for an update on Code Enforcement and Animal Control staffing.

Police Chief Bibb informed that Patrol Officers were taking initial Code Enforcement calls, there was one officer in service training and two individuals who had accepted the positions never showed.

Mayor Howell recommended to publicly meet with Municipal Court Judge, AWC, NM Dog Group, Sheriff's Dept. and LV Police Dept. and the community to discuss animal abuse resolution, that was much needed by mid March. He added that the governing body would be giving direction to Interim City Manager and Department Heads to get jobs done and to work on the many staffing issues.

### **ADJOURN**


Councilor Casey made a motion to adjourn. Councilor Ulibarri, Jr. seconded the motion. Mayor Howell asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Barbara A. Casey	Yes
Michael L. Montoya	Yes	David A. Ulibarri, Jr.	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

  
\_\_\_\_\_  
Mayor Vincent Howell

ATTEST:

  
\_\_\_\_\_  
Casandra Fresquez, City Clerk